

OFFICIAL

FROMMER LAWRENCE & HAUG LLP

745 Fifth Avenue
New York, New York 10151
Telephone: (212) 588-0800
Facsimile: (212) 588-0500

FAX RECEIVED

OCT 08 2002

GROUP 1000

FACSIMILE COVER LETTER

To: EXAMINER P. BASKAR
Firm: PTO
Fax No. 703-308-4242
From: THOMAS J. KOWALSKI, ESQ.
Date: October 8, 2002
Re: USSN 09/507,242
OUR REF: 454311-2200.1
No. of Pages: 9
(including cover page)

If you do not receive all pages or are unable to read the transmission, please call and ask for SUSAN LEE

CONFIDENTIALITY NOTICE

The documents accompanying this transmission contain confidential information intended for a specific individual and purpose. The information is private, and is legally protected by law. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action in reliance on the contents of this facsimile is strictly prohibited.

00062472

0

PATENT
454311-2200.1**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Steven D. Hanes *et al.*
Serial No. : 09/507,242
Filed : February 18, 2000
For : **CaESSI: A CANDIDA ALBICANS GENE, METHODS FOR
MARKING AND USING AND TARGETING IT AND ITS
EXPRESSION PRODUCTS FOR ANTIFUNGAL APPLICATIONS**
Examiner : P. Baskar
Art Unit : 1645

745 Fifth Avenue, New York, New York 10151

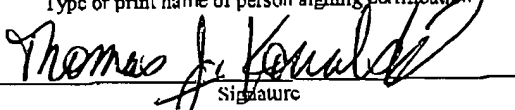
EXPEDITED PROCEDURE
RESPONSE AFTER FINAL ACTION
UNDER 37 C.F.R. §1.116

FACSIMILE

I hereby certify that this paper is being facsimile transmitted
to the Patent and Trademark Office on the date shown below.

THOMAS J. KOWALSKI, REG. NO 32,147

Type or print name of person signing certification


Signature

October 8, 2002

Date of Signature

THIRD AMENDMENT AFTER FINAL
WITH REQUESTS FOR EXTENSION OF TIME AND INTERVIEW

Commissioner for Patents
Washington, D.C. 20231

BOX AF

Dear Sir:

This is in further response to the Office Action mailed November 23, 2001, with the term for reply thereto having been extended three months and a Notice of Appeal having been filed within that extended term by first class mail and received by the USPTO on June 5, 2002, such that this paper is being filed within the herein extended term for filing an Appeal Brief, and after a Second Amendment After Final With Requests For Extension of Time And Interview was hand-filed September 20, 2002. This paper is also responsive to matters discussed telephonically with George Elliot and the Examiner, for which they are thanked for the courtesies extended, and

PATENT
454311-2200.1

is believed consistent with claims and subject matter identified as allowable during those telephonic interview.

REQUEST FOR EXTENSION OF TIME

Pursuant to 37 C.F.R. §§1.136(a) and 1.17(a), it is respectfully requested that the period for filing an Appeal Brief be extended three months, i.e., to up to and including November 5, 2002. As a two month extension was previously requested and paid for, the Commissioner is hereby authorized to charge the balance due for the extension to three months, for a Small Entity, believed to currently be \$260.00, and any additionally required fee for the extension of time, or any other fee occasioned by this paper, or credit any overpayment in such fees, to Deposit Account No. 50-0320.